



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Levy, Stuart B. *et al.*

Serial No.: 09/801563

Filed: March 8, 2001

For: *NIMR COMPOSITIONS AND THEIR  
METHODS OF USE*

Attorney Docket No.: PKZ-043

Group Art Unit: 1648

Examiner: Lucas, Zachariah

M.S. Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Date of Deposit November 3, 2003

I hereby certify that this transmittal letter and the papers referred to as being enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: M.S. Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:

  
Signature

Megan E. Williams  
Please Print Name of Person Signing

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Applicants and their Attorney are aware of the following publications and information, listed on the attached PTO Form 1449, and in accordance with 37 CFR §1.97 hereby submit these publications for the Examiner's consideration. A copy of each cited publication is enclosed.

This statement is not to be interpreted as a representation that the cited publications are material, that an exhaustive search has been conducted, or that no other relevant information

exists. Nor shall the citation of any publication herein be construed *per se* as a representation that such publication is prior art. Moreover, Applicants understand that the Examiner will make an independent evaluation of the cited publications.

Under 37 CFR § 1.97(b)(3), no additional costs are believed to be due in connection with the filing of this disclosure. If, however, a first Office Action on the merits issues in this application bearing a mailing date prior to the date of this Information Disclosure Statement, please charge the appropriate fee as required under 37 CFR §1.17(p) to our Deposit Order Account No. 12-0080.

Respectfully submitted,  
LAHIVE & COCKFIELD, LLP

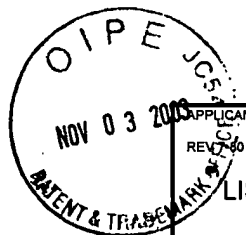


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EAH/MEW/JXS/alf  
Enclosures



APPLICANT FACSIMILE OF FORM PTO-1449 REV. 7-90	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY DOCKET NO <b>PKZ-043</b>	SERIAL NO. <b>09/801563</b>
LIST OF PUBLICATIONS CITED BY APPLICANT (Use several sheets if necessary)		APPLICANT <b>Levy, Stuart B. et al.</b>	
		FILING DATE <b>March 8, 2001</b>	GROUP <b>1648</b>

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A1	5,766,924	06/98	Levy	435	252.3	

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO

## OTHERS (including Author, Title, Date, Pertinent Pages, Etc.)

	A2	Alekshun, M.N. <i>et al.</i> Regulation of chromosomally mediated multiple antibiotic resistance: the <i>mar</i> regulon. <i>Antimicrob. Agents Chemother.</i> 1997 Oct;41(10):2067-75
	A3	Aono, R. <i>et al.</i> Involvement of outer membrane protein TolC, a possible member of the <i>mar</i> -sox regulon, in maintenance and improvement of organic solvent tolerance of <i>Escherichia coli</i> K-12. <i>J. Bacteriol.</i> 1998 Feb;180(4):938-44
	A4	Barbosa, T.M. <i>et al.</i> Genetic analysis of the <i>Shigella flexneri mar</i> locus. 1999. 99 <sup>th</sup> General Meeting of the American Society for Microbiology (Chicago, IL). Abstract A42, p. 9
	A5	Barbosa, T.M. <i>et al.</i> Differential expression of over 60 chromosomal genes in <i>Escherichia coli</i> by constitutive expression of MarA. <i>J. Bacteriol.</i> 2000 Jun;182(12):3467-74
	A6	Blattner, F.R. <i>et al.</i> The complete genome sequence of <i>Escherichia coli</i> K-12. <i>Science.</i> 1997 Sep 5;277(5331):1453-74
	A7	Cohen, S. P. <i>et al.</i> A multidrug resistance regulatory chromosomal locus is widespread among enteric bacteria. <i>J. Infect. Dis.</i> 1993;168:484-8
	A8	Cohen, S.P. <i>et al.</i> Genetic and functional analysis of the multiple antibiotic resistance ( <i>mar</i> ) locus in <i>Escherichia coli</i> . <i>J. Bacteriol.</i> 1993 Mar;175(5):1484-92
	A9	Gallegos, M.-T. <i>et al.</i> The XylS/AraC family of regulators. <i>Nucleic Acids Res.</i> 1993 Feb 25;21(4):807-10
	A10	Gambino, L. <i>et al.</i> Overexpression of the MarA positive regulator is sufficient to confer multiple antibiotic resistance in <i>Escherichia coli</i> . <i>J. Bacteriol.</i> 1993 May;175(10):2888-94
	A11	George, A.M. <i>et al.</i> Gene in the major cotransduction gap of the <i>Escherichia coli</i> K-12 linkage map required for the expression of chromosomal resistance to tetracycline and other antibiotics. <i>J. Bacteriol.</i> 1983 Aug;155(2):541-8
	A12	Gold, H.S. <i>et al.</i> Antimicrobial-drug resistance. <i>N. Engl. J. Med.</i> 1996 Nov 7;335(19):1445-53
	A13	Li, H. <i>et al.</i> The periplasmic murein peptide-binding protein MppA is a negative regulator of multiple antibiotic resistance in <i>Escherichia coli</i> . <i>J. Bacteriol.</i> 1999 Aug;181(16):4842-7
	A14	Martin, R.G. <i>et al.</i> Binding of purified multiple antibiotic-resistance repressor protein (MarR) to <i>mar</i> operator sequences. <i>Proc. Natl. Acad. Sci. U.S.A.</i> 1995 Jun 6;92(12):5456-60
	A15	Martin, R.G. <i>et al.</i> Autoactivation of the <i>marRAB</i> multiple antibiotic resistance operon by the MarA transcriptional activator in <i>Escherichia coli</i> . <i>J. Bacteriol.</i> 1996 Apr;178(8):2216-23
Examiner		Date Considered
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.		

